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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1890 /2003

PETITIONERS

1. Mahatru Ram Ratre, aged about 38 years, son of Shri Dharam Das Ratre occupation – U.D.T. Education Department, Government T.D. H.S.S. Fingeshwar Fingeshwar Distt. Raipur (Chhattisgarh).

2. Kanhaiyalal Kanwar, aged about 39 years, son of Shri Manbodhi Kanwar, occupation – U.D.T., Education Department, Government T.D.H.S.S. Fingeshwar, Village and post Fingeshwar, Distt. Raipur (Chhattisgarh)

3. Amar Das Kurre, aged about 33 years, son of Shri Bishambhar Ram Kurre, occupation U.D.T. Educatino Department, Government H.S.S. Jamgaon, Resident of village Patora, Fingeshwar, Distt. Raipur (Chhattisgarh)

4. Harishankar Joshi, aged about 38 years, son of Shri Budhramlal Joshi, occupation – U.D.T. Educatino Department, Government H.S.S Balodabazar, village and post Baloda Bazar, Raipur (Chhattisgarh).

5. Davendra Kumar Dewangan, aged about 34 years, son of Shri Budhar Lal Joshi. Occupation – U.D.T. Education Department, Govt H.S.S. Nayapara Rajim, Distt. Raipur (Chhattisgarh)

6. Smt Shraddha Tiwari, aged about 34 years, wife of Shri B.D. Diwan.occupation – U.D.T. Education Department J.R. Dani G.H.S.S. Raipur Kankalipara, Raipur (Chhattisgarh).

7. Rajesh Kumar Agarwal, aged about 36 years, son of Shri Ram Tarang Agrawal.occupation – U.D.T. Education Department J.R. Govt Girls Higher Secondary School, Raipur

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8. Smt. Reena Pandey, aged about 30 years, wife of Shri Rajeev Pandey, occupation – U.D.T. Education Department, Resident of Shanti Vihar colony, Near MPEB Talab Danganiya, Raipur (Chhattisgrh).

9. Smt Urmila Pandey, wife of Shri Sanjay Pandey, aged about 34 years occupation – U.D.T. Education Department, J.R. Dani Govt H.S.S. Mandir road, Khariyarbada, Budhapara, Raipur (Chhattisgarh).

10. Sahetter Ram Ghritlahre, aged about 33 years, son of Shri Kapil Singh Gritlahre, occupation U.D.T. Educational Department, Govt. H. S.S. Tekari Abhanpur, Resident of Charoda, PO: Mohtara, Tah. Kasdol, Distt. Raipur (Chhattisgarh).

11. Dileep Kumar Jha, aged about 39 years, son of Shri Sitambar Jha, occupation – U.D.T. Government H.S.S. Asounda (Tilda) resident of Asounda (Tilda) Distt. Raipur (Chhattigarh).

12. Lal Jha, son of Shri Jagdish Jha, aged about 40 years, occupation U.D.T. Education Department, Govt. H. S.Asaunda, Raipur, resident of Jhabhavan, Daulat Estate Colony, Danganiya, Raipur (C.G.)

13. Smt Suchi Vishwas, wife of Shri Shantanu Vishwas, aged about 34 years, occupation – U.D.T. Education Department, Government H.S.S. Manabasti, resident of MIG D-19, Shailendra Nagar, Raipur (CG)

14. Smt Lata Chandrakar, wife of ShriSantosh Chandrakar, aged about 32 years. Occupation – U.D.T. Education Department, Govt H.S.S. Mana Basti, resident of Ravigram, Telibandha, Raipur (Chhattisgarh).

15. Pramod Kumar Sahu, aged about 39 years, son of Shri Noor Singh Sahu. Occupation – U.D.T. Education Department, Govt H.S.S. Mana Basti (Raipur) Resident of Golden

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Marble Gali, Prince Colony, Laxmi Nagar, Raipur (Chhattisgarh).

16. Smt Anita Kunti Lakda, wife of Sri AlaxanderLakda, aged about 34 years. Occupation U.D.T. Govt H. S. S. Manabasti, Resident of Qtr No. 9 III Akasvani Colony, Civil Lines, Raipur (C.G.)

17. Yashwant Kumar Chandrakar, aged about 41 years son of Shri Shivnarayan Chandrakar occupation – Upper Division Teacher (Lecturer), Govt High School Khallari, resident of Konabada (Clubpara) Mahasamund,

18. Sanjay Kumar Shriwastava, aged about 35 years, son of Shri Vishnu Prasad Shrivastava, U.D.T. Government Girls Higher Secondary School Chhura, Distt. Raipur.

19. Gopeshwar Prasad Verma, aged about 40 years son of Shri Tika Ram Verma. Occupatio U.D.T. Tribal Welfare Department, Government Higher Secondary School Atarmara, resident of village and Post Fingeshwar, Distt. Raipur (Chhattisgarh).

20. Shahzade Aijaj, aged about 38 years son of Shri Gulam Aijaj occupation U.D.T. Tribal Welfare Department, resident of Government High School Raitum Mahasamund, Nayapara, Distt. Raipur (Chhattisgarh).

21. Syed Anik Hussain Rizvi, son of Shri S.T. Rizvi, aged about 34 years. Occupation – U.D.T. Tribal Welfare Department, Resident of Rajatalab, Raipur (Chhattisgarh)

22. Smt Sheela Bhakt, aged about 37 years, son of Shri Bharat Bhushan, occupation U.D.T. Tribal Welfare Department, Govt. High School Dulla, resident of Dulla, Raipur (Chhattisgarh)

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23. Bhagwan Singh Dhruw, aged about 36 years son of Shri Dhanesh Ram, U.D.T. Tribal Welfare Departmet, Govt. H. School Dullar, Resident of village and post Dulla, Raipur (Chhattisgarh).

24. Sukheshwar Ram Pankaj, aged about 33 years, son of Shri Pilai Ram, occupation U.D.T. Tribal Welfare Departmet, Govt. H. School Kansinghi, Resident of village and post Kansinghi, Raipur (Chhattisgarh).

25. Smt Uma Devi Sharma, aged about 36 years, son of Shri Anil Sharma, occupation U.D.T. Tribal Welfare Department, Government Middle School Lahangar, Distt. Mahasamund (CG), resident of Emlibhanta, Mahasamund, Distt. Mahasamund.

26. Smt Laxmi Pandey, wife of Shri Pramod Pandey, aged about 35 years. Occupation U.D.T. Govt Higher Secondary School Chhura, Distt. Raipur (Chhattisgarh)

27. Chandrakant Ravetkar, son of Shri Gajendra Ravetkar, aged about 39 years, occupation – U.D.T. Tribal Welfare Department, Govt H.S.S. Rangakhar, Distt. Kawardha), resident of Labour Colony, Qtr No. 119, Rajnandgaon (CG)

28. Mahetar Singh. Aged about 36 years, son of Shri Kapil Singh. Occupation U.D.T. Tribal Welfare Department, Government Tribal Higher Secondary School Belargaon, Resident of vilalge Charauda, PO Mohtara, Tah Kasdol, Distt. Raipur (C.G.)

29. Mahes Ram Kurre, aged about 35 years son of Shri Chhede Ram Kurre. Occupation U.D.T. Govt M.S. Gedapali, PO Gedapali, Bilaigarh, Distt. Raipur, Resident of Gendapali, Via Bilaigarh, Distt. Raipur

30. Bhogh Singh Bhoee, aged about 36 years, son of Shri Gopi Bhoee, occupation – U.D.T. Govt Higher Secondary School, Bamhni, Distt. Mahasamund.

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31. Hem lal Chorge, aged about 33 years son of Shri B.S.C. Ram Chorge, occupation – U.D.T. Tribal Welfare Department, Govt H.S.S. Bamhani, Jagdishpur resident of Pithora, Distt. Mahasamund (CG)

32. Manoj Nand, aged about 32 years son of Shri Ajeet Singh Nand. Occupation – U.D.T. Tribal Welfare Department, Govt H.S.S. Bamhani Via Jagdishpur Pithora, Distt. Mahasamund (Chhattisgarh) R/o. Pithora, Mahasamund (CG).

33. Surendra Kumar Bhoee, aged about 33 years, so of Shri Ishwar Bhoi, occupation U.D.T. Government High School Raitum, via Pithora, Resident of Mahasamund (Chhattisgarh).

34. Ku Amma Bakhta, daughter of Shri Juel Bhakta, aged about 36 years occupation – U.D.T. Tribal Welfare Department, Govt. H.S.S. Chhuna, Raipur, Resident of Chhuna, Raipur (Chhattisgarh).

35. Prafull Kumar Gwal, aged about 33 years, son of Shri Diwakar Gwal, occupation U.D.T. Govt H.S.S. Baloda Bazar, Resident of Baloda, Distt. Mahasamund.

36. Tikam Chand Patel, aged about 35 years, son of Shri Thandaram Patel.occupation – U.D.T. Govt H.S.S. Baloda, resident of Baloda, Distt. Mahasamund. (CG)

37. Smt Versha Thakur now Netam, aged about years wife of Shri Bahur Singh Thakur. Occupation U.D.T. Government Higher Secondary School, Education Department, Rajim, Distt. Raipur, R/o.Rajim, Distt. Raipur (Chhattisgarh)

38. Blasious Minj, aged about 42 years son of Late Shri Jawakim Minj. Occupation U.D.T. Govt. H.S.S. Kansinghi, Resident of Kansinghi, Raipur (CG)

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VERSUS

RESPONDENTS

1. State of Chhattisgrh, through : Secretary, Department of Higher Education, D.K.S. Bhawan, Raipur (Chhattisgarh).

2. Commissioner, Department of Tribal Welfare, Raipur (Chhattisgarh).

3. Commissioner, Publication and Instructions, Raipur (Chhattisgarh)

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No. 1890/2003

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6/4/2005

Smt. Hameeda Siddque, counsel for the Petitioner.

Shri Sandeep Dubey, Govt. Advocate for the respondents/State.

Heard.

By this petition under Article 226/227 of the Constitution of India the petitioners seek a direction to the respondents to pay the increments and seniority on the basis of the date of their initial appointments in the light of the decision rendered by the learned State Administrative Tribunal, Jabalpur in O.A.No. 1452/98 (Harish Chand Singh & others Vs. State of M.P. & others) dated 31.1.2000.

The case of the petitioners are that they were appointed as Upper Division Teacher in the School Education Department on probation for a period of two years with the fixed salary. However, later on after completion of two years tenure the petitioners were regularized but they are not being given the regular pay scale. Other similarly situated teachers moved the State Administrative Tribunal, Jabalpur for regular pay scale, wherein learned Tribunal vide order dated 31.1.2000 allowed the same. The petitioners made several representations to accord same treatment as they are also similarly situated Upper Division Teachers but the respondents have not paid any heed, therefore they are forced to file this petition.

Learned counsel for the petitioners submits that the petitioners may be allowed to make a representation to the

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 1890/2003 **सन्** **200**

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Respondent No.1 to give similar treatment to the petitioners and the same pay scale which have been sanctioned to other similarly situated teachers on account of the order of the State Administrative Tribunal dt. 31.1.2000, to which learned State counsel has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, in the opinion of this Court the limited prayer made by learned counsel for the petitioners appears to be reasonable. Therefore, the petitioners are allowed to make a representation within a period of two weeks from today to the respondent No.1 raising all their grievances and in turn the Respondent No.1 shall decide the said representation in an objective manner within a period of 30 days from the date receipt of such representation, after considering all the points raised by the petitioners and taking into account the order dated 31.1.2000 passed by the learned State Administrative Tribunal in O.A.No. 1452/98, and if the petitioners stand on the same footings, as the petitioners in the O.A.No. 1452/98 then they be also sanctioned the same pay scale and seniority.

With the direction aforesaid, the petition stands disposed of finally.

Certified copy as per Rules.

Sd/-
L.C.BHADOO
Judge

(पीछे देखिये)